



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Meeting Agenda - Final-revised

### City Council

**MISSION STATEMENT:** *The mission of the Duluth City Council is to develop effective public policy rooted in citizen involvement that results in excellent municipal services and creates a thriving community prepared for the challenges of the future.*

**TOOLS OF CIVILITY:** *The Duluth City Council promotes the use and adherence of the tools of civility in conducting the business of the council. The tools of civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face the city. These tools include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility. [Approved by the council on August 25, 2003]*

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Monday, January 9, 2017

7:00 PM

Council Chamber

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### REPORTS FROM THE ADMINISTRATION

#### REPORTS FROM OTHER OFFICERS

#### PRESENTATION OF PETITIONS AND OTHER COMMUNICATIONS

1. [17-013](#) License Application - One Day Dance Permit: Sacred Heart Music Center

Attachments: [License Application - Sacred Heart Music Center](#)

#### REPORTS OF BOARDS AND COMMISSIONS

2. [17-007](#) Duluth Airport Authority Meeting Minutes

Attachments: [10-18-2016 Duluth Airport Authority Meeting Minutes](#)

3. [17-008](#) Duluth Transit Authority Meeting Minutes

Attachments: [10-26-2016 Duluth Transit Authority Meeting Minutes](#)

4. [17-009](#) Parking Commission Meeting Minutes

Attachments: [11-4-2016 Parking Commission Meeting Minutes](#)

## REPORTS OF COUNCIL COMMITTEES

## REPORTS OF COUNCIL OPEN ISSUES

## OPPORTUNITY FOR CITIZENS TO BE HEARD

## RESOLUTIONS TABLED

### BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)

5. [16-0885R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2017 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES, AND AUTHORIZING REPROGRAMMING OF \$100,232.47 IN 2013, 2014, AND 2015 CDBG FUNDS AND TRANSFERRING TO 2017 CDBG PROJECTS.

## CONSENT AGENDA

### BY COUNCILOR HANSEN (FINANCE)

6. [17-0011R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIRIT MOUNTAIN RECREATION AREA AUTHORITY FOR 2017 IN THE AMOUNT OF \$200,000 FOR OPERATING ASSISTANCE AND \$145,700 FOR ADVENTURE PARK LEASE PAYMENTS.

Attachments: [Exhibit A](#)

7. [17-0012R](#) RESOLUTION AUTHORIZING ADDENDUM TO CONTRACT NO. 21809 TO ACKNOWLEDGE TYLER TECHNOLOGIES INC. AS SUCCESSOR TO NEW WORLD SYSTEMS CORPORATION.

Attachments: [Exhibit A 17-0012](#)

8. [17-0013R](#) RESOLUTION AUTHORIZING A FIRST AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF DULUTH AND VISIT DULUTH FOR ADDITIONAL MARKETING SERVICES IN 2017 IN THE AMOUNT OF \$100,000 FOR A NEW TOTAL NOT TO EXCEED \$1,900,000.

Attachments: [Attachment A 17-0013R](#)  
[Attachment B 17-0013R](#)

9.     [17-0017R](#)     RESOLUTION AUTHORIZING JOINT POWERS AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE FOR PURCHASING OF GOODS AND SERVICES.
- Attachments:     [17-0017R Exhibit A](#)
10.    [17-0043R](#)     RESOLUTION AMENDING RESOLUTION 16-0836R, AUTHORIZING AN INTERFUND LOAN TO PARTIALLY FINANCE THE REHABILITATION OF THE MINNESOTA SLIP BRIDGE, INCREASING THE INTERFUND LOAN BY \$200,000 FOR A NEW TOTAL NOT TO EXCEED \$2,200,000.

**BY COUNCILOR HOBBS (PURCHASING & LICENSING)**

11.    [17-0028R](#)     RESOLUTION APPROVING THE TRANSFER OF THE ON SALE INTOXICATING LIQUOR LICENSE AND ON SALE SUNDAY LICENSE FROM MIDI ENTERPRISES, INC (MIDI RESTAURANT), 600 EAST SUPERIOR STREET TO AVI, LLC (BOAT CLUB RESTAURANT AND BAR), SAME ADDRESS.
- Attachments:     [AVI LICENSE TRANSFER FROM MIDI](#)
12.    [17-0029R](#)     RESOLUTION AUTHORIZING FUNDS FOR THE FINAL QUARTER OF A FIVE YEAR CONTRACT WITH HOLIDAY STATIONSTORES FOR THE PURCHASE AND DELIVERY OF SERVICE STATION FUELS THROUGH MARCH 31, 2017 FOR AN AMOUNT NOT TO EXCEED \$206,250.
13.    [17-0048R](#)     RESOLUTION APPROVING THE ISSUANCE OF A LAWFUL GAMBLING PREMISE PERMIT TO IRVING COMMUNITY ASSOCIATION
- Attachments:     [PREMISE PERMIT-01042017110459](#)
14.    [17-0050R](#)     RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR GARY NEW DULUTH COMMUNITY CLUB.
- Attachments:     [AGT Rabbit Hunt Alpine](#)
15.    [17-0051R](#)     RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR SUPERIOR SPARTAN MENTORING CLUB INC.
- Attachments:     [SPARTANS MENTORING CLUB](#)
16.    [17-0052R](#)     RESOLUTION APPROVING THE EXEMPTION OF A RAFFLE LICENSE AND WAIVING THE 60 DAY WAITING PERIOD FOR DULUTH AIRMEN FOUNDATION, INC.
- Attachments:     [DULUTH AIRMEN-12272016130223](#)

**BY PRESIDENT FILIPOVICH (COMMITTEE OF THE WHOLE)**

17.     [17-0025R](#)     RESOLUTION AUTHORIZING EXTENSION OF CURRENT CABLE FRANCHISE AGREEMENT WITH CHARTER COMMUNICATIONS THROUGH JULY 1, 2017.
18.     [17-0042R](#)     RESOLUTION SETTING THE CITY OF DULUTH'S PRIORITIES FOR THE 2017 LEGISLATIVE SESSION.

**BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)**

19.     [17-0002R](#)     RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY NO. 14 (BOUNDARY AVENUE).
- Attachments:     [17-0002R Map](#)
20.     [17-0003R](#)     RESOLUTION AUTHORIZING A THREE-YEAR AGREEMENT WITH OUT THERE ADVERTISING, INC. FOR THE PURCHASE OF PUBLIC AWARENESS ADVERTISING SERVICES FOR PUBLIC WORKS AND UTILITIES FOR A CONTRACT TOTAL NOT TO EXCEED \$209,100.00.
- Attachments:     [Exhibit A](#)
21.     [17-0018R](#)     RESOLUTION AMENDING A CONTRACT WITH LHB, INC. TO PROVIDE STRUCTURAL DESIGN AND CONSTRUCTION INSPECTION SERVICES FOR THE MINNESOTA SLIP PEDESTRIAN BRIDGE RETROFIT PROJECT, TO INCREASE THE AMOUNT BY \$278,565 FOR A NEW TOTAL OF \$608,033.
- Attachments:     [17-0018R Cost Proposal](#)  
                                  [17-0018R Map](#)
22.     [17-0019R](#)     RESOLUTION APPROVING A COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS FOR IMPROVEMENTS TO COUNTY STATE AID HIGHWAY NO. 32 (ARROWHEAD ROAD).
- Attachments:     [17-0019R Plans](#)
23.     [17-0033R](#)     RESOLUTION AUTHORIZING ACCEPTANCE OF A QUIT CLAIM DEED FROM THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION, FOR REAL PROPERTY IN THE DULUTH HEIGHTS NEIGHBORHOOD FOR HIGHWAY PURPOSES, WHICH PROPERTY IS NO LONGER NEEDED BY THE STATE.
- Attachments:     [Exhibit A](#)  
                                  [Exhibit B](#)

24. [17-0045R](#) RESOLUTION SUPPORTING ST. LOUIS COUNTY'S LANDLORD INCENTIVES PROGRAM PROPOSAL AND THE SALVATION ARMY'S GRANT APPLICATION FOR LANDLORD RISK MITIGATION FUNDS.

Sponsors: Westerlund

**BY COUNCILOR FOSLE (PUBLIC SAFETY)**

25. [17-0020R](#) RESOLUTION AUTHORIZING PAYMENT TO ST. LOUIS COUNTY FOR SHARED ACCESS TO SHIELD MAINTENANCE SOFTWARE AND SERVICES ASSOCIATED WITH NEMESIS (NORTHEASTERN MINNESOTA ENFORCEMENT SAFETY INFORMATION SYSTEM) DURING 2017 FOR A TOTAL AMOUNT OF \$110,441.25.

26. [17-0026R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO EXECUTE A SUBSCRIPTION AND TERMS OF SERVICE AGREEMENT WITH SECURONET LLC TO PROVIDE ACCESS TO VIDEO CAMERA SURVEILLANCE NETWORK SERVICES AT A COST OF \$10,000 PER YEAR.

Attachments: [Document A](#)

27. [17-0027R](#) RESOLUTION AUTHORIZING PROPER CITY OFFICIALS TO ACCEPT A \$6,849 GRANT FROM THE MINNESOTA HORSE COUNCIL TO FUND TRAINING FOR THE MOUNTED PATROL UNIT PART-TIME RIDER PROGRAM.

**BY COUNCILOR SIPRESS (RECREATION, LIBRARIES & AUTHORITIES)**

28. [17-0034R](#) RESOLUTION AUTHORIZING A FIFTY (50) YEAR AGREEMENT WITH DULUTH GRADUATE MEDICAL EDUCATION COUNCIL, INC. FOR LEASE OF SPACE AT 330 NORTH 8TH AVENUE EAST FOR THE OPERATION OF ITS FAMILY MEDICINE CLINIC AND MEDICAL RESIDENCY PROGRAM.

Attachments: [Exhibit 1](#)

29. [17-0037R](#) RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE ENVIRONMENTAL PROTECTION AGENCY TO CONDUCT AN 18-MONTH STUDY AND PUBLIC REVIEW OF THE POSSIBILITY OF DESIGNATING A SAINT LOUIS RIVER NATURAL AREA.

Attachments: [Exhibit A](#)

**END OF CONSENT AGENDA**

**BY COUNCILOR HANSEN (FINANCE)**

30. [17-0006R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH HISTORIC UNION DEPOT, INC., IN THE AMOUNT OF \$226,800.  
*Attachments:* [Exhibit A](#)
31. [17-0007R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH GREAT LAKES AQUARIUM IN THE AMOUNT OF \$372,500.  
*Attachments:* [Exhibit A](#)
32. [17-0008R](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH DULUTH SISTER CITIES INTERNATIONAL, INC., IN THE AMOUNT OF \$40,000.  
*Attachments:* [Exhibit A](#)
33. [17-0009R](#) RESOLUTION APPROVING BUDGET AND COST SHARING FORMULA OF MINNEAPOLIS-DULUTH/SUPERIOR AND PASSENGER RAIL ALLIANCE AND AUTHORIZING PAYMENT OF CITY'S COST SHARE OF \$8,970.  
*Attachments:* [Exhibit A](#)

**BY COUNCILOR HOBBS (PURCHASING & LICENSING)**

34. [17-0036R](#) RESOLUTION AUTHORIZING A SECOND AMENDMENT TO CONTRACT 22491 WITH HOISINGTON KOEGLER GROUP, INC., FOR AN EXTENSION AND ADDITIONAL SERVICES IN THE AMOUNT OF \$3,200 FOR THE CROSS CITY TRAIL MASTER PLAN, FOR A TOTAL AMOUNT NOT TO EXCEED \$55,000.  
*Attachments:* [Exhibit A to Resolution.pdf](#)

**BY COUNCILOR ANDERSON (PERSONNEL)**

35. [17-0016R](#) RESOLUTION ESTABLISHING CITY COUNCIL PROCEDURE FOR ELECTING THE CITY COUNCIL PRESIDENT AND VICE-PRESIDENT ON JANUARY 9, 2017.

**BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

36. [17-0035R](#) RESOLUTION AUTHORIZING A REQUEST FOR HUD FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2017 PROGRAM YEAR, AUTHORIZING AGREEMENTS WITH APPROPRIATE AGENCIES, AND AUTHORIZING REPROGRAMMING OF \$100,232.47 IN 2013, 2014, AND 2015 CDBG FUNDS AND TRANSFERRING TO 2017 CDBG PROJECTS.

**BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)**

37.     [17-0004R](#)     RESOLUTION AWARDING A CONTRACT TO UNIVAR USA, INC., FOR THE PURCHASE AND DELIVERY OF 125,400 GALLONS OF LIQUID ALUMINUM SULFATE IN YEAR 2017 FOR A TOTAL COST OF \$124,710.30.

Attachments:     [Exhibit A](#)

38.     [17-0005R](#)     RESOLUTION AWARDING A CONTRACT TO UNIVAR USA INC. FOR THE PURCHASE AND DELIVERY OF 70,000 GALLONS OF LIQUID CAUSTIC SODA IN YEAR 2017 FOR A TOTAL COST OF \$133,861.

Attachments:     [Exhibit A](#)

## **INTRODUCTION AND CONSIDERATION OF ORDINANCES**

The following entitled ordinances are to be read for the first time:

### **BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

39.     [17-002-O](#)     AN ORDINANCE GRANTING A CONCURRENT USE PERMIT FOR PRIVATE GAS AND ELECTRIC UNDERGROUND SERVICE LINES IN THE PLATTED STREET RIGHT OF WAY OF RALSTON DRIVE.

Attachments:     [Attachment 1](#)  
                          [Attachment 2](#)

40.     [17-003-O](#)     AN ORDINANCE AMENDING THE APPROVED REGULATING PLAN FOR RAMSEY VILLAGE TO ALLOW FOR FOUR UNIT RESIDENTIAL STRUCTURES NORTH OF RAMSEY STREET AND BETWEEN NORTH 53RD AND NORTH 54TH AVENUE WEST.

Attachments:     [Attachment 1](#)  
                          [Attachment 2](#)

### **BY COUNCILOR WESTERLUND (PUBLIC WORKS & UTILITIES)**

41.     [17-001-O](#)     AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY ON RICES POINT TO THE DULUTH SEAWAY PORT AUTHORITY FOR \$102,747.75.

The following entitled ordinances are to be read for the second time:

### **BY COUNCILOR RUSS (PLANNING & ECONOMIC DEVELOPMENT)**

42.    [16-077-O](#)        AN ORDINANCE ADOPTING THE U.S. ENVIRONMENTAL PROTECTION AGENCY ("EPA") BROWNFIELD REVOLVING LOAN FUND PROGRAM GUIDELINES.

Attachments:

[Exhibit A](#)

[BRLF Process Diagram](#)

**COUNCILOR QUESTIONS AND COMMENTS**

**COUNCILOR PREVIEW OF UPCOMING BUSINESS**